

EXHIBIT AA

All Nippon Airways
vs.
United Airlines

Deposition of

Brad Powell

Volume 1

January 25, 2008

Reported By: Brandon Combs, RPR, CSR 12978
Job: 1-6199

Brad Powell

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<p>1 It was not specifically a training event. I don't know 2 if he also administered one of my periodic checks, a PC. 3 He may or may not have. 4 Q. Does PC stand for periodic check or 5 proficiency check? 6 A. Or proficiency check. At this point it's 7 become just a PC. 8 Q. And you don't know his name? 9 A. No, I'm sorry. 10 Q. But his name would be on your proficiency 11 check; correct? 12 A. If he gave me one, yes, there would be a 13 record of that. 14 Q. And that would be a 777 proficiency check? 15 A. Yes. 16 Q. How many proficiency checks have you had at 17 United on 777s? 18 A. They're scheduled at least every nine months. 19 Q. So every nine months you would have had a 20 proficiency check on a 777 for the past almost eight 21 years? 22 A. Yes. 23 Q. I guess that's about 11 proficiency checks on 24 777s? 25 A. I haven't done the math on it. I'm sorry.</p>	<p>1 A. I suppose it is. It's required by California 2 law to be a complete record, so to my knowledge it is. 3 Q. Do you know, sir, whether you reviewed all of 4 your pilot certificates, all certificates related to 5 your flying of airplanes on Monday? 6 A. The only ones I saw were the ones from my 7 initial application for employment. 8 Q. And you saw those on Monday? 9 A. Yes, briefly. 10 Q. But you did notice that they only related to 11 your initial employment; correct? 12 A. I recognized them as copies of my initial 13 employment application. 14 Q. Was that going back to '93, was it? 15 A. '92. 16 Q. '92. I'm sorry. 17 Other than the employment folder and your 18 statement, did you review any other documents on Monday? 19 A. Yes. We looked at the flight manual and the 20 flight ops manual, FOM. 21 Q. What's the difference between a flight manual 22 and a flight ops manual? 23 A. Flight manual relates to the operation of the 24 aircraft. Flight operations manual is all the 25 directives from the company regarding operations.</p>
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<p>1 Q. Do you know if the records of your proficiency 2 checks are maintained at United Airlines? 3 A. Yes. 4 Q. Have you seen them in the past eight years? 5 A. On Monday I reviewed my work record. 6 Q. What else did you review on Monday, what other 7 documents? 8 A. I think -- well, I mean, we looked at 9 documents that were produced for this, some of which are 10 listed here, some of which are not. 11 Q. You saw your statement? 12 A. Yes. I mean, it's better -- I mean, I don't 13 want to say something and make it sound inclusive 14 because there may have been other documents that I'm not 15 recalling. 16 Q. Right now I'm just asking for your best 17 recollection. That's all. I'm not holding you to this, 18 but just your best recollection. 19 A. I'm just trying to be certain. 20 Q. Your statement, some training records? 21 A. Training -- yes -- my employment folder 22 includes my training records, or at least a summary of 23 them. 24 Q. Do you know, sir, whether your employment 25 folder is your complete personnel file?</p>	<p>1 Q. Various procedures to be used? 2 A. Yes. It's systemwide, whereas the flight 3 manual is specific to the type aircraft you're on. So 4 everyone carries the same FOM, and then their individual 5 flight manual for the specific aircraft that they are 6 on. 7 Q. When you say everyone, sir, you're referring 8 to all of the pilots at United carry at least two 9 manuals with them; correct? 10 A. Two sets of manuals, that's correct. 11 Q. And one of those manuals is the operations 12 manual, and all United Airlines pilots carry the same 13 operations manual because that contains directives and 14 procedures systemwide not relating to specific 15 airplanes; is that correct? 16 A. That is correct. 17 Q. And then all of the pilots at United also 18 carry a second manual which is a flight manual, and that 19 is specific to the type of airplane they fly; correct? 20 A. Yes. 21 Q. So you, for example, would carry a systemwide 22 flight operations manual and a Boeing 777 flight manual; 23 correct? 24 A. That's correct. 25 Q. Are there any other manuals that you're</p>

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1 required to carry with you?

2 A. You also carry the approach -- the Jeppesen
3 charts for the airports that you fly to or you may fly
4 to as an alternate.

5 Q. And do those approach charts appear in a
6 section of your operations manual; is that correct?

7 A. No, they're separate. So there's a third set
8 of documents if you want.

9 Q. And you mentioned the word Jeppesen. Are the
10 charts that you carry produced by some company by the
11 name of Jeppesen, J-e-p-p-e-s-e-n or o-n?

12 A. E-n.

13 Q. Is that correct?

14 A. Yes.

15 Q. On the day of the accident, were you carrying
16 a Jeppesen approach chart to San Francisco International
17 Airport?

18 A. Yes.

19 Q. Are there any other approach charts that would
20 be relevant to this accident?

21 A. I would think that any of the charts for
22 San Francisco International would be relevant.

23 Q. What other charts are there in regards to
24 approach charts that are relevant to San Francisco
25 International Airport?

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1 A. I lost my mind there. You're going to have to
2 ask it again.

3 Q. With regard to this accident --

4 A. Yes.

5 Q. -- I'm trying to find out all the approach
6 charts that would have some relevance to the accident.

7 A. May I interrupt?

8 Q. Sure.

9 A. When you say approach charts, those are charts
10 as you're going to fly into the aircraft -- or fly into
11 the airport. There's departure procedures, there's
12 standard arrival procedures, specifically the charts
13 that would be the most important here would be ground
14 taxi diagrams and charts that were related to that.

15 Q. I'll show you, sir, what has been marked
16 previously at Mr. Russell's deposition as Exhibit 9,
17 which is a five-page document which has the numbers, top
18 line middle, 10-7, 10-7A, 10-7B, 10-7C and 10-7D.

19 Are those the charts that you believe are
20 relevant to this accident?

21 A. Yes.

22 Q. Are there any other charts that you were
23 supposed to be carrying on the day of the accident that
24 are relevant to the accident on Exhibit 9 to the Russell
25 deposition?

1 A. These are the most relevant. There may be
2 others that apply that don't come to mind.

3 Q. But as far as you're concerned, as far as
4 charts go, Exhibit 9 to the Russell deposition are the
5 ones that you would need if you were to be talking about
6 this accident?

7 A. Yes.

8 Q. One other thing, sir, I don't see the word
9 Jeppesen on Exhibit 9 anywhere, do you?

10 A. No. I do believe it's a Jeppesen product. It
11 comes in a Jeppesen folder from the Jeppesen Company.
12 Some of these are specific to individual airplanes. But
13 these are -- this is produced by Jeppesen to my
14 knowledge.

15 Q. Even though the name Jeppesen doesn't appear
16 on it, to your knowledge, it probably was something that
17 was produced by this company, Jeppesen?

18 A. Yeah. I surmise that.

19 Q. And as far as you know, sir, Jeppesen is the
20 company that produces the vast majority of all charts
21 for airlines; right?

22 A. For airlines, yes.

23 Q. Sir, getting back to that conference call that
24 you had, the FSR conference call, you mentioned that
25 trainer who was a standards trainer, captain, who you --

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1 did you say you probably had him as a trainer at -- or
2 checker at some time after the conference call, or you
3 may have had him?

4 A. I may have.

5 Q. You're just not sure one way or the other?

6 A. He's a captain I don't see routinely. I've
7 seen him when I go back for training every nine months.
8 We wave, he probably doesn't know my name. I certainly
9 can't recall his name.

10 Q. You know his first name?

11 A. No.

12 Q. Do you know his last name?

13 A. He's getting old.

14 Q. You don't know his last name?

15 A. No. I know his position and I know the
16 context and I remember that he was on that call.

17 Q. Was there anyone else from United on that
18 call?

19 A. Yes.

20 Q. Who?

21 A. I couldn't begin to go through the litany of
22 everyone who was on it.

23 Q. How many other people other than yourself,
24 Mr. Russell, Captain Rediger, the standards captain.

25 possibly someone from the FAA, who else would have been

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<p>1 Q. And you saw that it was coming around, closing 2 on our position. What does that mean? 3 A. It was getting closer to us. 4 Q. And you -- were you able to see the markings 5 of the taxiway that it was on? 6 A. No. 7 Q. Were you able to see whether or not it was on 8 the centerline of the taxiway? 9 A. I don't have any recollection where it was in 10 relation to the -- 11 Q. You've taxied out from that backside of the 12 concourse G many times yourself, right? 13 A. I have. 14 Q. And have you -- 15 A. Just to be specific, for safety reasons, only 16 the captain taxis the aircraft, so I've not taxied 17 physically the aircraft. I've been on the aircraft 18 taxiing from the backside. 19 Q. Let me withdraw and clarify the question, sir. 20 You have been either a first officer or a relief pilot 21 in 777s taxiing out from the backside of concourse 7 on 22 many occasions? 23 A. Concourse G. Yes. 24 Q. Did I say concourse 7, concourse G. 25 A. The international concourse.</p>	<p>1 A. I did. 2 Q. Now, on this occasion you have quotes around 3 that statement. At the time you wrote this, you had a 4 specific recollection of the exact words that the 5 captain had remarked; is that correct? 6 A. I don't know. I would -- I would guess that 7 that's as close to my recollection as I can be. It is 8 not a transcript. It is not verbatim, but, you know, 9 that I did write that, and that must have been my 10 recollection of the words or the sense of the words that 11 were spoken. 12 Q. And you did put quotation marks around that 13 phrase? 14 A. I did, but not in terms of that's a direct 15 transcript quote. That's -- I don't have any other 16 marks to describe verbal conversation other than 17 quotation marks, so I used those. 18 Q. And you were able to hear through your headset 19 the communications of the captain to the tug driver on 20 the ground -- 21 A. Yes. 22 Q. -- at the ramp? 23 A. I was monitoring both frequencies, both 24 radios, if you will. They're not radios, per se. 25 Q. That was the interphone, not the radio?</p>
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<p>1 Q. And when the plane, whoever is physically 2 taxiing it, when the plane comes around from the 3 backside of concourse 7 -- 4 A. G. 5 Q. Withdrawn. 6 When the plane comes around from the back of 7 concourse G, it's supposed to be on or very close to the 8 centerline of the taxiway; correct? 9 A. Yes. 10 Q. And why is it supposed to be on the centerline 11 of the taxiway? 12 A. It's procedure, clearly it's safety related. 13 It's -- you always taxi on the center. 14 Q. And why is it safe to taxi on the centerline? 15 A. I mean, one aspect of it is predictability, 16 you know that somebody is going to be on that line. I 17 would guess that the implication is that they've 18 measured all the lines and they've measured all the 19 clearances and that if you stay on the line, you should 20 be okay. 21 Q. Now, when you all saw the ANA 777 taxiing from 22 the backside and closing in on your position, the 23 captain then remarked to the tug driver, quote, I guess 24 we're not going to hit him, close quote. You wrote 25 that, right?</p>	<p>1 A. Correct. Thank you. 2 Q. Next you state that the tug driver responded 3 with, quote, no problem, I've got you, close quote; 4 correct? 5 A. Correct. 6 Q. And there too you specifically used the quotes 7 around, no problem, I've got you, close quotes; correct? 8 A. Yes, and again, I have no other marks to 9 indicate conversation. Those are the ones I'd use. 10 It's not a transcript. It's ten days later, but that 11 was my recollection of that conversation. 12 THE VIDEOGRAPHER: Two minutes, Counsel. 13 MR. TURNER: Q. Now, when the tug driver 14 responded no problem, I've got you, he didn't state what 15 the no problem meant, did he? 16 A. No. 17 Q. And when the captain asked the tug driver, I 18 guess we're not going to hit him, the captain didn't 19 state the ANA 777, he just stated him; correct? 20 A. Yes. He did not use the words ANA 777. 21 Q. Thank you. 22 THE VIDEOGRAPHER: We should change tape now. 23 MR. TURNER: Okay. 24 THE VIDEOGRAPHER: This concludes Videotape 1 25 of the deposition of Brad Powell.</p>

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